



Atty. Dkt. No. 039386-0536
Appl. Ser. No. 09/877,633

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lal et al.

Title: DIAGNOSTIC MARKER FOR
HUMAN CANCERS

Appl. No.: 09/877,633

Filing Date: 06/08/2001

Examiner: Slobodyansky, Elizabeth

Art Unit: 1652

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EV 505796837 US September 3, 2004
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Deborah A. Kocorowski
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INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

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Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits after the filing of a Request for Continued Examination.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date 9/3/04

FOLEY & LARDNER LLP
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Date Submitted: September 3, 2004

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Sheet 1 of 2

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|------------------------|-------------------------|
| Application Number | 09/877,633 |
| Filing Date | 06/08/2001 |
| Inventor(s): | Lal et al. |
| Group Art Unit | 1652 |
| Examiner Name | Slobodyansky, Elizabeth |
| Attorney Docket Number | 039386-0536 |

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
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FOREIGN PATENT DOCUMENTS

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NON PATENT LITERATURE DOCUMENTS

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|-----------------------|--------------------------|--|----------------|
| | | BLAST results for SEQ ID NO:1, at National Center for Biotechnology Information database searching for short nearly exact amino acid sequences | |
| | | GenBank Accession No. BAB62751, Submitted by Onouchi et al., <u>unpublished</u> | |
| | | Wakata, et al., <i>Polymyositis and dermatomyositis associated with malignancy: a 30-year retrospective study</i> , INT. J. DERMATOL., 41:729-34 (2002) | |
| | | Langan et al., <i>Dermatomyositis associated with angiotropic lymphoma</i> , CLIN. DERMATOL., 28:597-599 (2003) | |
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| | | Zhang et al., <i>The Dermatomyositis-Specific Autoantigen Mi2 Is a Component of a Complex Containing Histone Deacetylase and Nucleosome Remodeling Activities</i> , Cell, 95:279-89 (1998) | |

Examiner
SignatureDate
Considered

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| Attorney Docket Number | 039386-0536 |

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ⁶ |
|--------------------|-----------------------|--|----------------|
| | | Targoff, <i>Idiopathic inflammatory myopathy: autoantibody update</i> , CURR. RHEUMATOL. REP., 4:434-41 (2002) | |
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| | | Targoff et al., <i>Humoral immunity in polymyositis/dermatomyositis</i> , J. INVEST. DERMATOL., 100:116S-123S (1993) | |

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